

REMARKS

Receipt is acknowledged of the Office Action of February 13, 2004. Claims 1-8 are currently pending in the application. Claims 1-8 have been rejected in the Office Action. Applicants respectfully disagree with the Examiner and request reconsideration of the rejection, as explained in more detail below.

Claims 1-4 were rejected by the Examiner under 35 U.S.C. 103(a) as allegedly being unpatentable over U.S. Patent No. 2,794,085 ("De Angelis") in view of U.S. Patent No. 3,853,393 ("Fila"). Further, Claims 5-8 were rejected by the Examiner under 35 U.S.C. 103(a) as allegedly being unpatentable over the above De Angelis and Fila references in view of U.S. Patent No. 6,629,076 ("Haken"). According to the Examiner, De Angelis, Fila and Haken disclose the method claimed in the present application. Applicants respectfully disagree with the Examiner and direct his attention to the specification and amended claims of the present application.

As described in the present specification and claimed in the amended claims, the invention is a method of manufacturing eyewear including the steps of molding a frame, molding a temple, co-molding components of an apparatus in the temple, co-molding a Bluetooth transceiver for short-distance wireless communication in the eyewear, and removably connecting the frame with the temple using a hinge. (see amended Claim 1). As described in more detail in the specification, the Bluetooth transceiver is configured to form an ad hoc wireless network with a plurality of other devices having similar transceivers mounted on them. These devices may include a computer, a bracelet, a telephone, a radio, a CD player, a hand held global positioning satellite system or a heart rate monitor. Thus, because the transceiver is co-molded

in the eyewear, the eyewear itself becomes a wireless communication device communicating with other wireless devices. Independent Claim 1 now recites the limitation of co-molding the Bluetooth transceiver in the eyewear.

In contrast to the claimed invention, Haken discloses a pair of speech aiding eyeglasses 10 which are hard-wired via cable 30 to a separate wireless communication device 34 which, in turn, communicates with another wireless device 34. Thus, the wireless communication device 34, rather than the eyeglasses, comprises the transceiver and no transceiver is co-molded in the eyewear. Therefore, it is the wireless communication device 34, rather than the eyeglasses, that creates an ad hoc network and communicates with the other wireless device.

Thus, the method of manufacturing eyewear of the present invention contrasts sharply with the eyeglasses connected to a cell phone disclosed in Haken. Moreover, Haken does not even suggest embedding the transceiver of the cell phone 34 into the eyeglasses 10. Similarly, neither De Angelis nor Fila suggest the method of manufacturing eyewear as claimed in the amended Claim 1 of the present Application.

Thus, the limitation of independent Claims 1 requiring co-molding of the transceiver into the eyewear is not met by the cited prior art references. Claim 1 is believed to be patentable over the prior art of record.

Applicants respectfully submit that dependent Claims 2-8 are believed to define patentable subject matter in view of their dependency upon allowable Claim 1 and, further, on their own merits.

Based on the above, it is believed that the rejection of Claims 1-8 should be withdrawn. Claims 1-8 are believed to be in a condition for allowance, which action is respectfully requested.

The Examiner is urged to telephone Applicant's undersigned counsel if it will advance the prosecution of this application. The Patent and Trademark Office is authorized to charge any fees required for the entry of this Response, including fees for an extension of time, and any further fees that are properly assessable in this case, or to credit any overpayment, to Deposit Account No. 50-0675, Order No. 881987-0017. In the event that an extension of time is needed for entry of this Response that is not otherwise provided for, such extension of time is hereby respectfully requested.

Respectfully submitted,

Schulte Roth & Zabel LLP
Attorneys for Applicant
919 Third Avenue
New York, NY 10022
212-756-2000

By: Anna Vishev
Anna Vishev
Reg. No. 45,018

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